GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Agriculture & Cooperation Department – Containment, Control, and Prevention of COVID – 19 Epidemic - Consolidated Guidelines – Issued - Communication of the latest consolidated guidelines of the Ministry of Home affairs, Government of India with regard to the exceptions for lock down - Issued.

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AGRICULTURE & COOPERATION (MKTG.II) DEPARTMENT

G.O.Rt.No.304 Dated:07.04.2020

Read the following :-

1. From the Ministry of Home Affairs, Govt. of India, New Delhi, Order No.403/2020-DM-I(A), dated 24.03.2020.
2. G.O.Rt.No.289, Agri.& Coop. (MKTG-II) Dept., dated:26-03-2020.
3. Cir. Memo.No.AGC01-MKTG/12/2020-VIG-II-1, dt:30.03.2020 and dt:01.04.2020 of Agri.& Coop. Dept..
4. From the Ministry of Home Affairs, Govt. of India, New Delhi, Order No.403/2020-DM.I(A), dated:03.04.2020.

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ORDER:

In the reference 1st read above, the Ministry of Home Affairs (MHA), Government of India has issued consolidated guidelines on the measures to be taken by Ministers / Departments of Government of India, State / Union Territory Governments and State / Union Territory Authorities to take effective measures to prevent the spread of COVID-19 in the Country and the Order shall remain in force, in all parts of the Country, for a period of 21 days w.e.f. 25.03.2020.

2. In the reference 2nd read above, the Government of Andhra Pradesh have issued orders for exempted certain essential Services / Commodities, Transport Services, Shops dispensing such items and movement of Staff/ Employees related to such items during the Lockdown period of COVID-19 and further instructions / guidelines have been issued vide reference 3rd read above.

3. In compliance of the Orders / guidelines / instructions above, the Ministry of Home Affairs have issued latest consolidated guidelines with regard to the exceptions for lock down in the reference 4th read above.

4. Therefore, All Department of Secretariat / the District Collectors in the State of AP/ All the Superintendent of Police in the State of AP/ The Commissioner of Marketing, AP., Guntur / The Commissioner Civil Supplies / The Managing Director, Diary Development, AP., Vijayawada. / The Director General, Drugs Control, AP., Vijayawada. / The Commissioner of Transport, Andhra Pradesh, Vijayawada are hereby instructed to strictly implement the consolidated guidelines as per Annexure to this Order, which were mentioned in the reference 4th read above.

5. The Order mentioned vide reference 4th read above shall be implemented along with various orders issued earlier by the State Government for “lockdown” in the State for containing the spread of COVID-19.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NILAM SAWHNEY
CHIEF SECRETARY TO GOVERNMENT

P.T.O.

To
All the Special Chief Secretaries / Principal Secretaries / Secretaries to the Government.
The All the District Collectors in the State of AP.
The All the Superintendent of Police in the State of AP.
The Commissioner of Marketing, AP., Guntur.
The Commissioner, Civil Supplies, AP., Vijayawada.
The Director General of Police, AP., Mangalagiri.
The Commissioner of Horticulture, AP., Guntur.
The Inspector General, Legal Metrology, AP.
The Managing Director, Diary Development, AP., Vijayawada.
The Director General, Drugs Control, AP., Vijayawada.
The Commissioner of Transport, Andhra Pradesh, Vijayawada.
Copy to:-
The PS to CS to Govt.
The PS to Prl.Secy. to CM
The PS to Spl.CS to Govt., HM&FW Dept.
The PS to Prl. Secy. to Govt., TR&B Dept.
The PS to Prl.Secy. to Govt., Rev.(DM) Dept.
The PA to Spl.Commnr, Rev.(DM) Dept.
SF/SC.

(contd.. Annexure)

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Annexure to G.O.Rt.No.-------, Agriculture & Cooperation (Mktg.II) Department, dated:07.04.2020

Consolidated Guidelines on the measures to be taken by Ministers / Departments of Government of India , State / Union Territory Governments and State / Union Territory Authorities for contain of COVID-19 Epidemic in the Country , as notified by Ministry of Home Affairs Order No. 40-3 / 2020-DM-I(A) dated 24.03.2020 and further modified on 25.03.2020, 27.03.2020, 02.04.2020 and 03.04.2020.

1. Offices of the Government of India, its Autonomous / Subordinates Offices and Public Corporations shall be closed.

   Exceptions:
   a. Defence, central armed police forces.
   b. Treasury (including, Pay and Accounts Offices, Financial Advisers and field offices of the Controller General of Accounts, with bare minimum staff).
   c. Public utilities (including petroleum, CNG, LPG, PNG), power generation and transmission units, post offices.
   d. Disaster Management and Early warning Agencies.
   e. National Informatics Centre.
   f. Customs clearance at ports/ airports / land border, GSTN and MCA 21 Registry with bare minimum staff.
   g. Reserve Bank of India and RBI regulated financial markets and entities like NPCI, CCIL, payment system operators and standalone primary dealers with bare minimum staff.

2. Offices of the State / Union Territory Governments their Autonomous Bodies, Corporations, etc. shall remain closed.

   Exceptions:
   a. Police, home guards, civil defence, fire and emergency services, disaster management, and prisons.
   b. District administration and Treasury (including field offices of the Accountant General with bare minimum staff)
   c. Electricity, water, sanitation.
   d. Municipal bodies- Only staff required for essential services like sanitation, personnel related to water supply etc.
   e. Resident Commissioner of States, in New Delhi with bare minimum staff, for coordinating Covid-19 related activities and internal kitchens operations
   f. Forest offices :Staff/ workers required to operate and maintain zoo, nurseries, wildlife, firefighting in forests, watering plantations, patrolling and their necessary transport movement.
   g. Social Welfare Departments, with bare minimum staff, for operations of Homes for children/ disables/ senior citizens/ destitute/ women /widows; Observations homes; pensions.
   h. Agencies engaged in procurement of agriculture products, including MSP operations.
   i. 'Mandis' operated by the Agriculture Produce Market Committee or as notified by the State Government.

The above offices (SI. No 1&2) should work with ***minimum number*** of employees. All other offices may continue to work-from-home only.

3. Hospitals, Veterinary Hospitals and all related medical establishments, including their manufacturing and distribution units, both in public and private sector, such as dispensaries, chemist, Pharmacies (including Jan Aushadhi Kendra) and medical equipment shops, laboratories, Pharmaceutical research labs, clinics, nursing homes, ambulance etc. will continue to remain functional.

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The transportation for all medical personnel, nurses, para-medical staff, other hospital support services be permitted.

4. Commercial and private establishments shall be closed down.

Exceptions*:*

a. Shops, including ration shops (under PDS), dealing with food, groceries, fruits and vegetables, dairy and milk booths, meat and fish, animal fodder, fertilizers, seeds and pesticides. However, district authorities may encourage and facilitate home delivery to minimize the movement of individuals outside their homes.
b. Banks, insurance offices, and ATMs including IT vendors for banking operations; Banking Correspondent and ATM operation and cash management agencies.
c. Print and electronic media.
d. Telecommunications, internet services, broadcasting and cable services. IT and IT enabled Services only (for essential services) and as far as possible to work from home.
e. Delivery of all essential goods including food, pharmaceuticals, medical equipment through E-commerce.
f. Petrol pumps, LPG, Petroleum and gas retail and storage outlets.
g. Power generation, transmission and distribution units and services.
h. Capital and debt market services as notified by the Securities and Exchange Board of India.
i. Cold storage and warehousing services.
j. Private security services.
k. Data and call centers for ***Government activities only***.
l. Farming operations by farmers and farm workers in the field.
m.'Custom Hiring Centres (CHC)' related to farm machinery.
n. Shops of agriculture machinery, its spare parts (including its supply chain) and repairs to remain open.
o. Shops for truck repairs on highways, preferably at fuel pumps.

All other establishments may work-from-home only.

5. Industrial Establishments will remain closed.

Exceptions:

a. Manufacturing units of essential goods, including drugs, pharmaceutical, medical devices, their raw materials & intermediates.
b. Production units, which require continuous process, after obtaining required permission from the State Government.
c. Coal and mineral production, transportation, supply of explosives and activities incidental to mining operations.
d. Manufacturing units of packaging material for food items, drugs, pharmaceutical and medical devices.
e. Manufacturing and packaging units of Fertilizers, Pesticides and Seeds.
f. Tea industry, including plantation with maximum of 50% workers.

6. All transport services — air, rail, roadways — will remain suspended.

Exceptions:

a. Transportation for essential goods only.
b. Fire, law and order and emergency services.
c. Operations of Railways, Airports and Seaports for cargo movement, relief and evacuation and their related operational organisations.
d. Inter-state movement of goods/ cargo for inland and exports.
e. Cross land border movement of essential goods including petroleum products and LPG, food products, medical supplies.

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f. Intra and inter-state movement of harvesting and sowing related machines like combined harvester and other agriculture/horticulture implements.
g. Transit arrangements for foreign national(s) in India. (as per attached SOP).

7. Hospitality Services to remain suspended

Exceptions:
a. Hotels, home stays, lodges and motels, which are accommodating tourists and persons stranded due to lockdown, medical and emergency staff, air and sea crew.
b. Establishments used/ earmarked for quarantine facilities.

8. All educational, training, research, coaching institutions etc. shall remain closed.

9. All places of worship shall be closed for public. No religious congregations will be permitted, without any exception.

10. All social/ political/ sports/ entertainment/ academic/ cultural/ religious functions /gatherings shall be barred.

11. In case of funerals, congregation of not more than twenty persons will be permitted.

12. All persons who have arrived into India after 15.02.2020, and all such persons who have been directed by health care personnel to remain under strict home / institutional quarantine for a period as decided by local Health Authorities, failing which they will be liable to legal action under Sec. 188 of the IPC.

Exceptions:
a. Release of quarantined persons, who have arrived in India after 15.2.2020, after expiry of their quarantine period and being tested Covid-19 negative (as per attached SOP). |

13. Wherever exceptions to above containment measures have been allowed, the organizations / employers must ensure necessary precautions against COVID-19 virus, as well as social distance measures, as advised by the Health Department from time to time.

14. In order to implement these containment measures, the District Magistrate will deploy Executive Magistrates as Incident Commanders in the respective local jurisdictions. The Incident Commander will be responsible for the overall implementation of these measures in their respective jurisdictions. All other line department officials in the specified area will work under the directions of such incident commander. The Incident Commander will issue passes for enabling essential movements as explained.

15. All enforcing authorities to note that these strict restrictions fundamentally relate to movement of people, but not to that of essential goods.

16. The Incident Commanders will in particular ensure that all efforts for mobilization of resources, workers and material for augmentation and expansion of hospital infrastructure shall continue without any hindrance.

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17. Any person violating these containment measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005, besides legal action under Sec.188 of the 1PC.

Note: As specified in the lockdown measures, social distancing and proper hygiene practices must be ensured in each of the above activities. It will be the responsibility of the head of the organization / establishment to ensure compliance of such norms. The district authorities will ensure strict enforcement.

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STANDARD OPERATING PROCEDURE (SOP) FOR TRANSIT ARRANGEMENTS FOR FOREIGN NATIONALS STRANDED IN INDIA.

Sub-Clause (g) in exception to clause 6

It has been brought to the notice of this Ministry that a number of foreign nationals are stranded in different parts of the country, due to the lockdown measures. Some foreign countries have approached Government of India for evacuation of their nationals to their countries.

2. In view of the above, it has now been decided that requests received from foreign governments, for evacuation of their nationals from India, would be examined by the Ministry of External Affairs (MEA), Government of India on case to case basis. In cases where such requests are endorsed by MEA, the following protocol would be observed:

i) The chartered flight would be arranged by the concerned foreign government in consultation with the Ministry of Civil Aviation, Government of India.

ii) Prior to departure, the foreign national(s) would be screened for COVID-19 symptoms as per the standard health protocol. Only those foreign national(s) would be allowed to leave, who are asymptomatic for COVID-19. In case of symptomatic person(s), the future course of treatment would be followed, as per the standard health protocol.

iii) The local transportation arrangements from the place of stay of the foreign national(s) to the point of embarkation would be arranged by the local Embassy/Consulate of the respective foreign government.

iv) The transit pass for movement of the vehicle deployed for movement of the foreign national(s) would be issued by the Government of the State/Union Territory where the foreign national(s) is/are staying.

v) The transit pass, as issued above, would be honoured/ allowed by the authorities of the State/Union Territories along the transit route.

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STANDARD OPERATING PROCEDURE FOR RELEASE OF QUARANTINED PERSONS, AFTER EXPIRY OF QUARANTINE PERIOD AND TESTED COVID-19 NEGATIVE

Sub-Clause (A) in exception to clause 12

With a view to preventing spread of COVID-19 and as a measure of abundant precaution, persons returning from foreign locations after 15.2.2020 had been quarantined in government/government-arranged facilities. In respect of these persons, the following protocol would be observed after completion of the specified mandatory quarantine period:

i). Person(s) testing negative for COVID-19, and as per standard health protocol, would be released from the said quarantine facility(ies). However, this will not apply to a group, where even one person tests positive for COVID-19.

ii). These persons are expected to return to their homes, or to the homes of their families/relatives/friends or to other places of shelter like hotels, etc., by making their own transport arrangements.

iii). The transit pass for movement of vehicle(s), being used by such person(s), would be issued by the Government of the State/Union Territory where they have been quarantined.

iv). The transit pass will be issued for fixed route and with specified validity and such person(s) shall follow the same.

v). The transit pass, as issued above, would be honoured/ allowed by the authorities of the State/Union Territories along the transit route.

vi). As a measure of abundant caution, upon returning to their destination such persons would home quarantine themselves for a further period of 14 days as per standard protocol on the matter.

vii). Details of person(s) released from quarantine, along with their destination, will be shared with the concerned State/UT Government for necessary follow up.

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OFFENCES AND PENALTIES FOR VIOLATION OF LOCKDOWN MEASURE

A. SECTION 51 TO 60 OF THE DISASTER MANAGEMENT AGT, 2005

51. Punishment for obstruction, etc. — Whoever, without reasonable cause —
(a) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or
(b) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act, shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

52. Punishment for false claim.—Whoever knowingly makes a claim which he Knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

53. Punishment for misappropriation of money or materials, etc.—Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

54. Punishment for false warning.—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

55. Offences by Departments of the Government.—(

1) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.
(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act.—Any officer, on whom any duty has been imposed

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by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.

57. Penalty for contravention of any order regarding requisitioning.—If any person contravenes any order made under section 65, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

58. Offence by companies.—(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, 25 shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly: Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section— (a) "company" means any body corporate and includes a firm or other association of individuals; and (b) "director", in relation to a firm, means a partner in the firm.

59. Previous sanction for prosecution.—No prosecution for offences punishable under sections 55 and 56 shail be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorised in this behalf, by general or special order, by such Government.

60. Cognizance of offences.—No court shall take cognizance of an offence under this Act except on a complaint made by— (a) the National Authority, the state Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised in this behalf by that Authority or Government, as the case may be; or (b) any person who has given notice of not less than thirty days In the manner prescribed, of the alleged offence and his intention to make a complaint to the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised as aforesaid.

B. Section 188 in The Indian Penal Code

188. Disobedience to order duly promulgated by public servant—Whoever, Knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he ts directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or

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risk of obstruction, annoyance or injury, to any person lawfully employed, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both; and if such disobedience causes or trends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Explanation:- It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

Illustration

An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of rot. A has committed the offence defined in this section.

NILAM SAWHNEY
CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER